

MANDATE

Dist. Ct.
04-cr-1016
Garaufis, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 25th day of June, two thousand fourteen,

Present: Dennis Jacobs,
Chester J. Straub,
Christopher F. Droney,
Circuit Judges.

United States,

Appellee,

v.

13-3566-cr

Ronell Wilson, AKA Rated R,

Defendant-Appellant.

We **REMAND** for the District Court to reconsider its decision that Wilson is not intellectually disabled, *United States v. Wilson*, 922 F. Supp. 2d 334 (E.D.N.Y. 2013), in light of *Hall v. Florida*, 134 S. Ct. 1886 (2014). The District Court should address whether it needs to consider evidence of Wilson's adaptive deficits given Wilson's IQ scores. The District Court may consider any other issue it deems appropriate and conduct additional factfinding if warranted.

We express no opinion regarding how, if at all, *Hall* affects the District Court's original analysis. This remand is pursuant to the procedure outlined in *United States v. Jacobson*, 15 F.3d 19, 22 (2d Cir. 1994).

Wilson's motion to stay the time to file a briefing schedule (Docket No. 39) is **DENIED AS MOOT**.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

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MANDATE ISSUED ON 07/16/2014